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Practioner's Docket No. MWH-303US2

PATENT

NOV 20 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE TECH CENTER 1600/2900

In re application of: Drysdale, Connie M.; Judson, Richard S.; Liggett, Stephen B.;
Nandabalan, Krishnan; and Stephens, J. Claiborne.

Application No.: 09,811,285
Filed: March 16, 2001

Group No.: 1646
Examiner: Joseph F. Murphy

For: ASSOCIATION OF BETA2-ADRENERGIC RECEPTOR HAPLOTYPES WITH
DRUG RESPONSE

Assistant commissioner for Patents
Washington, D.C. 20231

**PRELIMINARY AMENDMENT TO CLAIMS AND RESPONSE TO RESTRICTION
REQUIREMENT**
(37 CFR §1.115 and MPEP 714.01(e); 37 CFR §1.143)

This preliminary amendment is submitted in response to the Office Action dated September 9, 2002, which required restriction between the claims. This paper is filed pursuant to MPEP 714.01(e) and is in compliance with 37 CFR §1.115. A one-month extension of time has been requested in the attached petition, which authorizes the payment of the appropriate fees.

IN THE SEQUENCE LISTING

Please replace the sequence listing submitted on June 17, 2002 with the sequence listing included herewith.

IN THE CLAIMS

Please amend independent claims 1 and 29 as shown below.

1. (twice amended) An isolated polynucleotide comprising a nucleotide sequence selected from the group consisting of:
 - (a) a first nucleotide sequence which is a polymorphic variant of a reference sequence for the β_2 -Adrenergic receptor (β_2 AR) gene, wherein the polymorphic variant is a β_2 AR isogene that encodes a β_2 AR polypeptide capable of being activated by a β -agonist, wherein the first nucleotide sequence is selected from the group consisting of [SEQ ID NOS: 19-30] SEQ ID NO:19, SEQ ID NO:20, SEQ ID NO:21, SEQ ID NO:22, SEQ ID NO:23, SEQ ID NO:24, SEQ